

Name:	 UPES UNIVERSITY WITH A PURPOSE
Enrolment No:	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
Online End Semester Examination, May 2021

Course: Professional Ethics Accountancy for Lawyers & Bar Bench Relation	Semester: X
Program: B.A. LL.B. (Hons) Criminal/Constitutional Law	Time 03 hrs.
Course Code: LLBP 508	Max. Marks: 100

SECTION A

- 1. Each Question will carry 5 Marks**
- 2. Instruction: Write brief notes / Select the correct answer(s)**

S. No.	Question	COs
Q 1	Discuss the importance of Lawyers and the Legal Profession in the Society	CO1
Q2	State the seven lamps of advocacy	CO1
Q3	State the role of a lawyer in the informal settlement of disputes.	CO2
Q4	Advocate is the person who argues in the Court of Justice professionally. For this an advocate has to enroll in _____. Every person cannot be enrolled as an advocate in bar council. Section _____ of _____, _____ states that a person is qualified to be admitted as an advocate on a state roll, if he fulfills the _____ conditions. Choose the correct answers from the bracket below. (5, 24, Bar Council, 1961, Advocates Act, Contempt of Courts Act, 1971, 3, 35)	CO1
Q5	Discuss the liability of the Lawyers under the Consumer protection Act, 1986	CO3
Q6	State the need and role of Professional Accounting for an Advocate	CO2

SECTION B

- 1. Each question will carry 10 marks**
- 2. Instruction: Write short / brief notes**

Q7	Analyze the powers and functions of the Bar Council of India	CO3
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Q 8	Analyze the moral responsibilities of the Lawyers towards their Client and the opponent.	CO4
Q 9	Elaborate on the development of Legal profession in Pre and Post- Independence era	CO2
Q 10	<p>The Hon'ble High court of Delhi defined the term of Amicus Curiae "Translated from the Latin as 'friend of the Court'. An advocate appears in this capacity when asked to help with the case by the Court or on volunteering services to the Court."</p> <p>In the above context discuss the legal regime and legislative framework of Amicus Curie in India</p>	CO4
Q 11	<p>The judges are known as the "Bench" and the Advocates are known as the "Bar". The relation between the judges and Advocates are referred to as the Bar and Bench relation. Speedy justice and the faith the public has on the judiciary depend on the relation between the judges and the Advocates and in the administration of justice the role of Advocates is equally important as that of judges. Providing justice is the joint responsibility of both the judges and the Advocates.</p> <p>Elaborate on the Bar-Bench relationship with the help of decided case laws.</p>	CO4
<p>Section C</p> <p>1. Entire Question carries 20 Marks.</p> <p>2. The sub-parts carries 10 marks each.</p> <p>1. Each Question carries 20 Marks.</p> <p>2. Instruction: Write long answer.</p>		
Q12	<p>"If men, including judges and journalists, were angels, there would be no problems of contempt of court. Angelic judges would be undisturbed by extraneous influences and angelic journalists would not seek to influence them", said Justice Frankfurter of the US Supreme Court in Pennekamp versus Florida (1946). Seventy-four years on, the prophetic words are more relevant in India, where judges often invoke the power of contempt to deal with those 'scandalising' the judiciary. The Supreme Court's decision to initiate contempt proceedings against an activist-lawyer only highlights the problem.</p> <p>The rationale behind the power of contempt is to safeguard the interests of the common man, who would be adversely affected if the court's authority is undermined and public confidence in the judiciary is eroded. It is nobody's case that the power of contempt vested in the Supreme Court and High Courts under the Constitution, respectively, and the Contempt of Courts Act, 1971, should be done away with. Those interfering with the due course of judicial proceedings or obstructing the administration of justice must be taken to task. The real problem is about Section 2(c)(i) of the Act: publication of anything — in any manner whatsoever — which 'scandalises or tends to scandalise or lowers or tends to lower the authority of, any court'. It is this provision which has been challenged by noted journalists N Ram and Arun Shourie, and Bhushan before the Supreme Court for being vague, manifestly arbitrary and violative of the right to free speech.</p> <p>In the light of above facts</p> <p>1. Discuss whether Supreme Court & High Court can take suo motto action for contempt of court</p>	CO4

	2. Whether the Supreme Court of India while dealing with Contempt Proceedings can debar practicing lawyer from carrying on his profession as a lawyer for any period whatsoever?	
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